

FINAL BILL REPORT

HB 1894

C 34 L 22
Synopsis as Enacted

Brief Description: Concerning the period for juvenile diversion agreements.

Sponsors: Representatives Harris-Talley, Frame, Leavitt, Simmons, Johnson, J., Goodman, Walen, Dolan, Ryu, Taylor, Fey, Fitzgibbon, Davis, Bateman, Macri, Valdez and Pollet; by request of Administrative Office of the Courts.

House Committee on Children, Youth & Families
Senate Committee on Human Services, Reentry & Rehabilitation

Background:

Juvenile Diversion Agreements.

A juvenile diversion agreement is a contract between a juvenile accused of a crime and a diversion unit where the juvenile agrees to complete certain requirements instead of prosecution. Juvenile diversion agreements may only be executed after the prosecutor or probation counselor has determined that probable cause exists to believe that a crime was committed.

The requirements of a juvenile diversion agreement are limited to:

- community restitution not to exceed 150 hours;
- restitution limited to the amount of actual loss;
- up to 10 hours of counseling and 20 hours of positive youth development, educational, or information sessions at a community agency;
- requirements to remain during certain hours at home, school, or work, and restrictions on leaving or entering certain areas; and
- upon request of any victim or witness, requirements to refrain from contact with such victims or witnesses.

A juvenile diversion agreement may not exceed a period of six months and may include a period extending beyond the individual's eighteenth birthday. If additional time is needed to complete restitution to a victim, the period may be extended for six months.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Prosecutors are required to divert a case if the alleged offense is a misdemeanor or gross misdemeanor and the alleged offense is the offender's first offense. If the prosecutor is not required to divert the case and the offense is not a sex offense or a violent offense, other than Assault in the second degree or Robbery in the second degree, the prosecutor has discretion regarding whether to divert a case.

Summary:

A juvenile diversion agreement may be extended by six months at the request of a juvenile. A juvenile diversion agreement may be completed by a juvenile any time before an order terminates the diversion agreement.

Votes on Final Passage:

House	96	0
Senate	49	0

Effective: June 9, 2022